

REMARKS/ARGUMENTS

In paragraph 2 of the Office Action, the Examiner stated that the Japanese foreign patent documents, No. 2001-34398 and No. 6-261376, listed with the Information Disclosure Statements submitted on June 19, 2006 and September 14, 2006, will not be considered until the Examiner has been provided with English translations of these documents. The copies of Applicant's Art Citation received by the United States Patent and Trademark Office on those dates collectively list three foreign patent documents, Japanese document No. 2001-34398, Japanese document No. 2001-34394, and Japanese document No. 6-261376, none of these documents being initialed, and therefore indicating that the Examiner has not considered these documents.

It is respectfully submitted that the Examiner is incorrect in requiring English translations of these documents. In particular, the Submission accompanying each of the Applicant's Art Citation forms received by the United States Patent and Trademark Office (USPTO) on each of the aforementioned dates provided that, "A translation of pertinent parts of the Office Action has been provided in lieu of a Statement of Relevancy of the present invention to the teachings of the cited prior art." The Manual of Patent Examining Procedure, (M.P.E.P.) Section 609.04(a) provides, with regard to non-English language information submitted with an Information Disclosure Statement, that, "Where the information listed is not in the English language, but was cited in a search report or other action by a foreign patent office in a counterpart foreign application, the requirement for a concise explanation of relevance can be satisfied by submitting an English-language version of the search report or action which indicates the degree of relevance found by the foreign office," M.P.E.P., pages 600-153 to 600-154.

English translations of Japanese Patent Office Actions of May 16, 2006 and of August 15, 2006 in counterpart Japanese application No. 2002-307737 were included with the Information Disclosure Statements received by the USPTO on June 19, 2006 and on September 14, 2006, respectively, indicating the relevance of the aforementioned Japanese documents submitted therewith. Therefore, it is respectfully submitted that the requirement of the M.P.E.P. for a concise statement of relevance of the non-English translation of information submitted has been satisfied, and such information should be considered without the need for providing a translation to the Examiner. It is respectfully requested that the Examiner consider such information, and

return copies of Applicant's Art Citation forms showing consideration of such information by the Examiner's initials, attaching the same to the next Office Action in this application.

Claims 1-9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nealon et al., U.S. Patent No. 5,463,659, in view of Kim, U.S. Patent No. 6,882,860 B1. Reconsideration of the rejection is respectfully requested.

In the Examiner's Response to Arguments, the Examiner disagrees with Applicant's argument in the previously filed Amendment that the happy tone at a handset and the sad tone at a handset, as taught by Nealon et al., "are not the result of one valid or invalid key input, as claimed in independent claims 1, 5, and 9, but rather reflect the conclusion of a successful or unsuccessful registration process ...," (Amendment filed on September 6, 2006, page 8, lines 14-15; emphasis in original; Office Action, page 2, paragraph 1, lines 7-13). The Examiner instead contends that, "[t]he examiner is given the right to interpret the claim limitations as broadly as reasonably possible. In this case, Kim reads on the broadly claimed limitations and it does not matter if Kim is utilizing the valid/invalid key press notification system for a registration process or some other process since the teachings of Kim reads on the claimed limitations," (Office Action, paragraph 1, page 2, line 20 to page 3, line 4).

Initially, it is to be noted that Applicant's argument in the previously filed Amendment was directed toward Nealon et al., and it is assumed that the Examiner is actually referring to Nealon et al., not Kim, in the cited portion of the Response to Arguments. With regard to the substance of the Examiner's response to the Applicant's argument, Applicant respectfully disagrees. The Examiner appears to contend that the purpose for which Nealon et al. sounds either a happy tone or a sad tone, the successful or unsuccessful registration of a handset, as expressly taught therein, (see the text in the enclosure labeled reference numeral 311, in Fig. 3, and the text in the enclosure labeled reference numeral 319, Fig. 3; see also column 7, lines 60-64, and column 9, lines 9-17 and 22-25), is irrelevant in determining whether independent claims 1, 5, and 9 are patentable. However, contrary to the Examiner's contention, independent claims 1, 5, and 9, and the claims dependent therefrom, expressly provide that the purpose of the first and second pattern set in advance are to notify the user of the validity or invalidity of the input of any one of the keys, not to indicate the successful or unsuccessful registration of a handset. Thus, the purpose of the happy tone and sad tone in Nealon et al. is crucial to determining the patentability of the claims herein, since the purpose is expressly said to be the indication of a

successful or unsuccessful registration of a handset, whereas the use of a first and second pattern set in advance, in independent claims 1, 5, and 9 and all claims dependent therefrom, is to notify the user of the validity or invalidity of the input of any one of the keys of the portable telephone set of the claims.

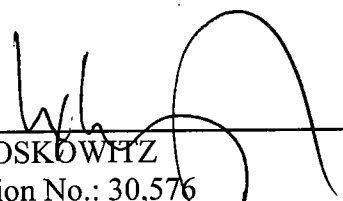
New independent claim 10 has been added to the claims. New claim 10 incorporates some features of claims 1 and 4. In addition, new claim 10 incorporates the following features. First, claim 10 specifies that the call termination notification means is "for notifying a user of said portable telephone set of termination of a telephone call," supported by the specification, for example, on page 4, lines 17-18. Second, new claim 10 indicates that the memory for storing allocation information "is updated in accordance with a menu," supported in the specification, for example, on page 7, lines 12-13. Finally, new claim 10 states that "when the portable telephone set is used in a mode wherein no sound is generated from said portable telephone set, if the key input discrimination means discriminates that the key inputting operation is valid, then at least one of a first vibration pattern and a first color variation pattern is generated, and if the key input discrimination means discriminates that the key inputting operation is invalid, then at least one of a second vibration pattern and a second color variation pattern is generated," supported in the specification, for example, on page 10, lines 2-9, 13-22; and on page 11, lines 13-20.

In view of the foregoing remarks and amendments, allowance of claims 1-10 is respectfully requested.

Respectfully submitted,

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